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Appendix A – Copy of Title

Appendix B – Planning Property Report

Appendix C – Clause 58 Assessment
1 Introduction

1.1 Project Overview

This report accompanies an application to the State Government’s Development Facilitation Program for the land at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick (‘Site’) and its use and development for an eight storey mixed-use building. Planning & Property Partners Pty Ltd is engaged as town planning consultants on behalf of Assemble.

The proposal is to be delivered through the Assemble Housing Model, an innovative new pathway to home ownership, which provides a bridge between renting and purchasing a home in response to the home ownership and affordability challenge evident across metropolitan Melbourne. This is a fundamental component of the application and demonstrates a measurable broader community benefit within the Brunswick Major Activity Centre (‘MAC’).

The proposal is for an eight storey mixed-use building which has been designed to retain and adaptively reuse key elements of the existing heritage building on the Site and address each of its street frontages. The building is to contain a large retail space; various resident community facilities and spaces; and 172 residential apartments of varying sizes, layouts, and bedroom typologies.

The Site and project forms part of Assemble’s Tranche 1 submission to the Development Facilitation Program following the earlier application made to the State Government’s fast-track pilot program Building Victoria’s Recovery Taskforce (‘BVRT’) in response to the COVID-19 Pandemic. This application follows ongoing correspondence with senior Department representatives and following their review of Assemble’s earlier BVRT submission. This application and Tranche 1 submission, provides a complete and comprehensive planning package in response to the Department’s additional information requests and to facilitate the development’s approval through the Development Facilitation Program process.

1.2 Planning Permit Requirements

The Site is located within the Mixed Use Zone (‘MUZ’) and is affected by the Design and Development Overlay – Schedule 18 (‘DDO18’); the Heritage Overlay – Schedule 385 (‘HO385’); the Development Contributions Plan Overlay – Schedule 2 (‘DCPO2’); and the Environmental Audit Overlay (‘EAO’) pursuant to the provisions of the Moreland Planning Scheme (‘Planning Scheme’). Under these planning controls and the particular provisions of the Planning Scheme, a planning permit is required on the Site for:

- Use and development for the purposes of a ‘retail premises’ within the MUZ;
- Construct two or more dwellings in the MUZ;
- Construct a building and carry out works in DDO18;
- Demolition and to construct a building or construct or carry out works in HO; and
- Reduction in the number of on-site resident and retail car parking spaces pursuant to Clause 52.06-5 of the Planning Scheme.

1.3 Statutory Approval Process

This project is sought to be approved and implemented through the application of the Specific Controls Overlay (SCO) to the Site. The SCO provisions were introduced via Amendment VC148 in July 2018 and has been applied to facilitate planning approvals where there have been particular planning objectives which warrant site specific and proponent specific planning approval where extraordinary circumstances apply. This includes the recent State Government’s response to the COVID-19 pandemic where the SCO has been applied to projects through the Department’s BVRT program, in order to revitalise Victoria’s economy.

The SCO is being rolled out across the Victorian Planning Mapping database to pick up on sites which have traditionally been afforded site specific exclusions from underlying planning scheme provisions. This mapping
exercise brings another level of legibility to those sites where specific controls apply and has been an excellent initiative.

The SCO at Clause 45.12 has as its purpose:

‘To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.’

Moreover, Clause 45.12 includes the following:

‘Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

▪ Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
▪ Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
▪ Exclude any other control in this scheme.

The SCO provisions have been selected as the most appropriate means of facilitating planning approval for the Assemble projects which amount to the largest portfolio of privately funded social and affordable housing in the nation’s history. The Assemble proposals cover eight strategic land parcels and in combination offer the following extraordinary contribution of social and affordable housing and economic stimulus:

▪ Over 600 privately funded social housing dwellings to be managed by the Community Housing Sector;
▪ Over 2,900 privately funded dwellings with over 60% to be affordable essential worker rentals;
▪ Over $1 Billion of construction activity; and
▪ Over 8,000 full time jobs.

The projects identified by Assemble are institutionally funded and can be brought to the point of construction commencement in line with the objectives of the Development Facilitation Program and are truly ‘shovel ready’.

The application of the SCO provision to the portfolio of Assemble projects is proposed to be implemented via the application of an incorporated document for each proposal, which references the plans and conditions for the approval and which will function in the same way as a planning permit. This approach will facilitate the re-development of each site for the variety of uses proposed and associated development which will enable the significant community benefits to be released on each strategic land parcel, including provision of social housing and affordable housing both through an innovative new pathway to home ownership and through social and affordable build to rent (‘BTR’) dwellings.

The SCO control provides a clear direction for the urban renewal of each site, through incorporating documents into the respective Planning Scheme. The SCO will be site specific and will enable development in support the State Government’s objective to stimulate the economy, ultimately fast-tracking the approval process. This approach will enable early commencement of construction and realisation of the community benefits offered by each proposal and specific stimulus to the construction sector of the economy and in turn delivering a truly extraordinary opportunity for the State of Victoria.

1.4 Accompanying Documents

This report is accompanied by detailed architectural plans and an ‘Urban Context Report’ prepared by FIELDWORK and has been further informed by the accompanying consultant reports as follows:

▪ ‘Landscape Concept Package’ prepared by Rush\Wright Associates;
▪ ‘Waste Management Plan’ prepared by Traffix Group Pty Ltd;
▪ ‘Traffic Engineering Assessment’ prepared by Traffix Group Pty Ltd;
▪ ‘Sustainability Management Plan’ prepared by Atelier Ten Pty Ltd; and
- ‘Heritage Impact Statement’ prepared by Bryce Raworth Pty Ltd
2 Site Context

2.1 The Subject Site

The Site comprises three allotments formally referred to as:

- Lot 1 on Title Plan 838517A (2-6 Ballarat Street, Brunswick);
- Lot 1 on Title Plan 6929878U (14 Ovens Street, Brunswick); and
- All of the land within Plan of Consolidation 158970K (16-18 Ovens Street, Brunswick).

A copy of the Site’s title documents is provided at Appendix A. It is recognised that part of the Site referred to as 2-6 Ballarat Street has a covenant stating that this ‘…shall not be used for the purpose of carrying on thereon or on any part thereof the business or businesses of a timber merchant or joinery manufacturer.’ The proposal does not breach the restrictions enforced by this covenant.

A drainage easement also runs along the southern boundary of part of the Site referred to as 14 Ovens Street.

As shown in Figure 1 above, the Site is located on the northern side of Ballarat Street, on its north-east corner intersection with Ovens Street, approximately 40 metres west of its intersection with Sydney Road.

The Site is irregular in shape, maintain a frontage to Ballarat Street for approximately 40 metres and a frontage to Ovens Street for approximately 85 metres. The eastern boundary of the Site contains a slight frontage in its south-east corner to a declared Council road (Road ID: 10005_1.0000). Overall, the Site contains a land size area of approximately 3,120 square metres.

The Site is generally flat, and is occupied by:
A part-one and part-two storey red-brick and modern office/showroom industrial building of heritage significance within the land referred to as 2-6 Ballarat Street formerly referred to as the ‘Perucci Shirt Factory’;

- A single-storey dwelling within the land at 14 Ovens Street; and

- A private car park within the land at 16-18 Ovens Street.

Each of the existing allotments contain a single width crossover to Ovens Street.

2.2 Strategic Context

The Site is located approximately six (6) kilometres north of the Melbourne CBD and within the defined Brunswick MAC pursuant to Plan Melbourne 2017-2050 and Clause 21.02 of the Planning Scheme. The immediate area is historically characterised by light industrial uses and retail stores particularly along the eastern Sydney Road frontage, however, is under a current state of change given its MAC status which is resulting in its transformation to a mixed-use area with an increased residential density and built form scale.

Figure 2 – Zoning controls within the Brunswick MAC

The Brunswick MAC is one of three (3) Activity Centres within the Moreland municipality identified to accommodate the most significant change, which is evident in nearby recent planning approvals and applications including opposite the Site at 8 Ballarat Street which maintains planning approval for an eight (8) storey mixed-use building through Planning Permit MPS/2016/854.
The Site offers excellent, walkable access to multiple public transport options including Brunswick Railway Station approximately 350 metres south-west of the Site and forming part of the broader Principal Public Transport Network (‘PPTN’). A range of retail, food and beverage outlets, office tenancies, entertainment facilities and full-line supermarkets are contained within the Brunswick MAC and located on or off the Sydney Road spine.

The Site is well serviced by nearby public open space, including Brunswick and Clifton Parks, as well as the upfield bicycle corridor adjacent to the railway tracks and offering direct bicycle and pedestrian connections to the Melbourne CBD.

The excellent location of the Site to the aforementioned facilities intrinsically encourages its use and development for an urban renewal project incorporating a range of uses, including a large retail space and activation to the streetscape, a variety of communal spaces and higher density/affordable residential living.

**Figure 2 – Site Context**

**Source: Melway Online**

### 2.3 Key Contextual Cues

The key contextual elements that have been taken into account in informing the preparation of the proposal and design response include:

- The existing heritage building on the Site and its corner presence to Ballarat and Ovens Street and cultural and built form characteristics of the immediate area;
- The anticipated mixed-use character and built form character and outcomes to be achieved within the Brunswick MAC;
- The consolidation and significant land size area of the Site at approximately 3,120sqm;
• Exploration of a truly mixed-use development given the MUZ of the Site and immediate area and variety of uses to provide and take advantage of nearby amenities for future residents;

• The existing generally poor urban realm along the Site’s frontages and opportunity to significantly improve this through revitalising the existing heritage building on-site, provision of retail and pedestrian activation at ground floor, passive surveillance and safety enhancements; and wayfinding/connection opportunities to the eastern Sydney Road commercial spine and western rail corridor;

• The need to leverage and optimise underutilised Site’s within established areas that can benefit from existing and planned infrastructure and services including the PPTN;

• The industrial past of the area and that of the retained heritage building to influence the architectural response by way of materiality, finishes, colours, and fenestration;

• The development potential of abutting sites to the north and those fronting the eastern Sydney Road corridor in particular the individually significant heritage buildings associated with the Uniting Church.

• The relationship to dwellings approved on the western side of Ovens Street and ensuring no unreasonable off-site amenity impacts will arise to these in context of their location within the Brunswick MAC; and

• Protection of unreasonable overshadowing and visual bulk to the Ballarat and Ovens Streets public realm areas and understanding of their future roles and pedestrian connection opportunities within the MAC.
3 Proposal

The proposal seeks use and development of the Site for the purposes of an eight storey mixed-use building, designed to retain and adaptively reuse key heritage elements of the existing building and providing a large retail tenancy; residential apartments and associated community amenities that are to be delivered via the Assemble Housing Model.

The Assemble Housing Model is an innovative, new pathway to home ownership in response to the housing affordability issues evident across Metropolitan Melbourne. The Assemble Housing Model focuses on providing high quality design, community, and sustainable projects, which are delivered in a rent-to-buy system, offering rent stability, financial coaching along the initial rental period. Various community services are further provided to promote and encourage resident interaction through the generous areas, spaces and events provided with each Assemble project.

The proposed development will have a target that a minimum of 70% of all apartment rents and purchase price, are ‘affordable’ to low-moderate income households consistent with the definitions within the Planning and Environment Act 1987

3.1 Built Form Details

The proposed development seeks to retain, revitalise, and re-use the existing heritage building on-site, particularly its presence on the Site’s Ballarat Street frontage and returns to other street frontages.

The new built form is designed to complement the retained heritage features, drawing precedent from it and other nearby buildings to influence the materials, finishes and fenestration. The proposal comprises an overall eight (8) storey building above a two storey basement car park and will provide a meaningful architectural and urban design response for this strategic site in achieving an appropriate balance in recognising the noted heritage characteristics while contributing to the Site’s urban renewal.

The generous setbacks from the retained heritage building enable a clear old/new built form relationship to be achieved and depth created to the Ballarat Street streetwall as it wraps the street corners ensuring its 3D-form and presence is retained:

Key built form outcomes of the proposal are as follows:

- Retention and adaptive reuse of the existing heritage building as it presents to Ballarat Street and for an approximate depth of 16 metres to the Site's Ovens Street frontage.
- Retention of the saw-tooth roof profile of the existing building along its eastern boundary.
- A maximum eight storey building designed to take advantage of the Site’s strategic corner location, orientated to face the street frontages with a central 6.1 metre separation of built form provided with five metre minimum light court width. This separation creates a series of light courts for secondary daylight amenity, natural cross ventilation to all apartments and external circulation space, bridging the building and providing excellent resident and user comfort.
- A generous 6.5 metre setback to the retained heritage building as it presents to Ballarat Street for Levels 2 – 6, before setting this back to 9.3 metres on the uppermost level to assist in recessing its presentation to this frontage.
- To Ovens Street, a break is provided from the heritage building’s return along this frontage before providing a four storey streetwall. A varied design presentation is achieved through staggering the building line, walk-up ground floor apartments and punctuated balcony sizes/cut-outs on the streetwall upper levels.
- A generous 4.5 metre break and recess in built form is provided to highlight and identify the principal pedestrian entrance and lobby area to Ovens Street.
- Above the Ovens Street streetwall, the building is setback a minimum 7.8 metres at Levels 4 – 6, with projecting balconies. The uppermost level is again further setback a minimum 10.7 metres to recess and
remove its presence from the streetscape, continuing the treatment applied along the Ballarat Street front and ensuring solar access is provided to the public realm and western side of Ovens Street.

- The building contains a wall on part of its northern boundary for its maximum height which can reasonably be matched in the future redevelopment of the site at 20 Ovens Street, noting its future amenity is to be obtained from its western frontage and its northern laneway. A communal private open space area is provided along the balance of the Site’s northern boundary.

- To the east, the development contains a wall on boundary where it abuts the Uniting Church land parcels and the individually heritage significant Baptist Church (491 Sydney Road) and Former Dental Surgery and Residence (503 Sydney Road) which front Sydney Road, and restricts the development potential of these properties to the rear. Thus, the wall on boundary in this location provides the opportunity for these otherwise constrained sites to match this height and position future amenity to the east.

- Above the eastern retained saw-tooth roof, the built form is setback with a minimum 4.5 metres provided which can be equally matched with properties fronting Sydney Road to create a minimum nine metre of building separation and ensure an equitable built form outcome.

- Opportunities for landscaping including added greenery are incorporated throughout the design response, namely the central north-south external circulation areas at each level which provides opportunities for green wall landscaping and within the north-eastern communal open space area.

## 3.2 Street Activation

The proposal seeks to significantly enhance the immediate public realm through addressing each of the Site’s street frontages through the proposed ground floor uses, pedestrian movement and interaction opportunities creating activity to the immediate streetscape and within the Site itself. This includes:

- A large 348sqm ground floor retail space to define the prominent Ballarat and Ovens Street corner, through the adaptive reuse of the retained heritage building and ‘making good’ the external opening to improve the appearance and create an inviting space.

- A large 206sqm communal Assemble space for various resident events and to provide an internal/external connection to the public realm through the reuse of the retained heritage building and associated windows.

- A 4.3 metre wide pedestrian entrance to Ballarat Street bordered by the aforementioned ground floor uses and utilising existing entry location with the heritage façade with a lobby varying 2.8 – 3.8 metres, and a 4.5 metre wide entrance to Ovens Street and continued void on the upper levels. These generous entrances create transitional residential spaces at ground floor promoting resident interaction and movement.

- Walk-up landscaped entrances to dwellings at ground floor fronting Ovens Street, reflective of a traditional inner-city subdivision pattern and terrace house arrangement.

- High use of glazing combined with the architectural fenestration and provision of balconies adds to an interesting and active façade on upper levels.

- Added bicycle movement near-to the Ovens Street pedestrian entrance through the provision of the ground floor lock-up bicycle storage cage.

- Isolation of building services and vehicle accessway away from pedestrian entrances and the ground floor retail uses.

The orientation of the upper level apartments to the Site’s street frontages further adds to the passive surveillance and safety of the enhanced public realm.

## 3.3 Façade Design

The corner site characteristic of the Site enables the architectural design response to be appreciated from various views of the immediate public realm, in particular its relationship to the retained heritage building on-site. The existing building on-site, inner-city locality and industrial past of the immediate area has influenced the built form presentation and the proposed material and colour palette ensuring it comfortably fits with the surrounds as it continues to transit.
Features of the architectural façade presentation are as follows:

- Retention and reuse of the two (2) storey brick and modern heritage building as it presents to Ballarat Street and wraps the corner to Ovens Street and the eastern boundary.
- The proposal ‘makes good’ the retained heritage building and the existing windows and door openings at ground and first floor to provide an attractive presentation to the streetscape and create a solid base for the new built form to then be recessed and sit above.
- Along Ovens Street streetwall, the heritage elements of the existing building are integrated within the façade with the return walls of the apartments containing a similar red brick detail. This is particularly evident at ground floor where an interpretative element of the existing single storey scale is successfully created at pedestrian level.
- The upper levels of the Ovens Street streetwall contain a lighter and darker grey exposed aggregate concrete which frames the streetwall into four differing elements through the colour contrast and recessions to some apartments and the residential entrance. The materiality and colour composition complements the heritage past with similar industrial textures.
- The framing of the Ovens Street streetwall creates punctured balconies into this façade, further breaking up the perception to the streetscape.
- Above the retained heritage streetwall to Ballarat Street and the renewed Ovens Street streetwall, a lighter ribbed concrete is applied to present as a secondary component above the strong heritage base and streetwall. The upper level balcony treatments to Ovens Street differ to the below framed balustrade treatments, with these projecting to create variation, interest and movement to the façade.
- Balconies above the Ballarat Street streetwall are inverted/punctured into the façade to not detract from the heritage significance at this frontage with projections. This architectural treatment creates depth and visual interest, however, secondary to the building’s base.
- Generous provision of glazing to the ground floor retained windows and openings of the heritage building assist in the commercial activation on the Site’s strategic corner, further reinvigorating this strategic corner.

3.4 Apartment Layout

The proposal provides a total of 171 apartments with a range of dwelling types and typologies provided, encompassing a mix of studio, one-bedroom, two-bedroom and three-bedroom apartment options as broken down below:

- 45 studio bedroom apartments
- 25 single-bedroom apartments
- 77 two-bedroom apartments
- 24 three-bedroom apartments

The apartments are generally orientated toward the Site’s street frontages or central communal open space area to provide an excellent level of internal amenity and are bridged by a common circulation/corridor area with a series of voided spaces providing secondary amenity opportunities. This innovative design response and considered layout of the apartments enhances the user comfort, liveability, attraction, and internal amenity, allowing natural daylight and cross ventilation to be suitably received throughout the building.

Internal and external communal areas are features of the Assemble Housing Model with various resident services provided at ground floor to encourage social interaction between residents of the development through recreational activities, communal gardening, functions, events, and resident groups.

3.5 Parking, Access and Loading

On-site car parking is provided within a basement level with vehicle access provided via a new crossover to Ovens Street, in the Site’s north-east corner while reinstating the other existing crossovers along this frontage. A total of 75 car parking spaces are to be provided for the convenience of future residents and retail staff.
The building's service and waste areas are also to be provided within the basement area, and a total of 129 secure bicycle parking spaces. A further 78 bicycle parking spaces are provided at ground floor level and Level 01 adjacent to the building’s lobby.

Access to the building’s upper storeys is granted via three (3) separately located lift services and stairs.
4 Town Planning Context

The Site is located within the MUZ and is affected by H0385, DDO18, DCP01 and the EAO pursuant to the provisions of the Planning Scheme. A copy of the DELWP Planning Report is provided at Appendix B.

4.1 Zone

The purpose of the MUZ as contained at Clause 32.04 of the Planning Scheme is:

▪ To implement the Municipal Planning Strategy and the Planning Policy Framework.
▪ To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
▪ To provide for housing at higher densities.
▪ To encourage development that responds to the existing or preferred neighbourhood character of the area.
▪ To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

The MUZ schedule does not contain any local objectives or nominate maximum building height requirements.

Under the provisions of the zone, use of the land for a ‘dwelling’ is a ‘Section 1 – Permit not required’ land use, however a permit is required for the construction of two or more dwellings on a lot and must meet the requirements of Clause 58 pursuant to Clause 32.04-6 of the Planning Scheme.

4.2 Overlays

4.2.1 Heritage Overlay – Schedule 385

H0385 applies to ‘2-6 Ballarat Street, Brunswick – Perucci Shirt Factory (former)’. The purpose of the Heritage Overlay is:

▪ To implement the Municipal Planning Strategy and the Planning Policy Framework.
▪ To conserve and enhance heritage places of natural or cultural significance.
▪ To conserve and enhance those elements which contribute to the significance of heritage places.
▪ To ensure that development does not adversely affect the significance of heritage places.
▪ To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

A permit is required to demolish or remove a building and construct a building or construct or carry out works under Clause 43.1-1 of the overlay.

4.2.2 Design and Development Overlay – Schedule 18

DDO18 applies to the ‘Brunswick Activity Centre – Sydney Road and Upfield Corridor’ and is of particular relevance to the Site and proposal, containing the following design objectives:

▪ To encourage a new mid-rise built form character with lower built form at the interfaces with the adjoining low rise residential areas.
▪ To complement the valued built form and heritage character along Sydney Road and respect the form, design and context of buildings of individual heritage significance in the precinct.
▪ To ensure the street wall remains the visually dominant element of all development in Sydney Road and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.
- To establish a new cohesive built form character in off-corridor locations to the east and west of Sydney Road to achieve an appropriate balance between a sense of enclosure and openness and to ensure new street walls reinforce the existing character of street walls in nominated off-corridor streets.
- To protect the amenity of existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties within and adjacent to the activity centre.

Map 3 of DDO18, identifies along the Site’s Ballarat and Ovens Streets frontages these as being ‘Frontage Type C Residential’, however these are not recognised as ‘key pedestrian streets’.

The discretionary built form controls of DDO18 as they apply to the Site are as follows:

<table>
<thead>
<tr>
<th>DD018 Built Form Controls and Outcomes Applying to the Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preferred maximum building height</td>
</tr>
<tr>
<td>Preferred street wall heights and setbacks</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Frontage Type C Residential (Ballarat and Ovens Street)</td>
</tr>
</tbody>
</table>

The built form requirements and design objectives of DD018 have been a key consideration in the design proposal as addressed at Section 5.2 of this report.

4.2.3 Development Contributions Plan Overlay – Schedule 1

DCP01 applies across the municipality, requiring development contributions be provided to fund new and upgraded community infrastructure projects and facilities throughout the municipality. Any future development contributions are able to be dealt with at the subdivision stage of the project.

4.2.4 Environmental Audit Overlay

Part of the Site is subject to the EAO, which requires prior to a sensitive use commencing or construction occurring for a sensitive use, the environmental conditions of the land be suitable for such uses.

The requirements of the EAO can be included as a condition on any future approval for the Site and will be undertaken prior to the occupation of the residential use of the Site.

4.3 Particular Provisions

4.3.1 Clause 52.06 – Car Parking

Clause 52.06 of the Planning Scheme requires that prior to a new use or an increase in an existing use, the car parking provision required under Clause 52.06-5 must be provided to the satisfaction of the Responsible Authority.

The Site is located within the PPTN area, therefore the car parking rates in Column B of Clause 52.06-5 apply as follows:

- Where the use is a ‘dwelling’, one car parking space must be provided to each one or two-bedroom dwelling and two car parking spaces provided to each three-bedroom dwelling.
- Where the use is a ‘retail (shop)’ 3.5 car parking spaces must be provided to 100 square metres of leasable floor area.
- Where the use is a ‘office’ (Assemble Office) 3 car parking spaces must be provided to 100 square metres of net floor area.
Accordingly, the development has a statutory requirement to provide 209 car spaces, comprising 194 resident car spaces; 9 spaces for the retail (shop) tenancy; and 6 spaces for the office tenancy as examined by Traffix Group Pty Ltd.

The appropriateness of this rate and support for the 76 car parking spaces provided as part of the proposal is detailed in the accompanying ‘Traffic Engineering Assessment’ prepared by Traffix Group Pty Ltd which further informs that no material impact on the operation of the existing road network is anticipated to arise as a result of the proposal.

Further detail regarding the proposed car parking provided on-site, vehicle access requirements and traffic generation is contained within the ‘Traffic Engineering Assessment’ prepared by Traffix Group Pty Ltd.

4.3.2 Clause 52.34 – Bicycle Facilities

Clause 52.34 of the Planning Scheme requires the provision of bicycle facilities before any new use commences. Table 1 to Clause 52.34.1 specifies statutory rates for bicycle parking as follows:

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Statutory Requirement</th>
<th>Total Required Bicycle Provision</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Resident/Employee</td>
<td>Visitor/Customers</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings (171 / 5 = 34)</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings (171 / 10 = 17)</td>
</tr>
<tr>
<td>Retail</td>
<td>1 space to each 300m² of leasable floor area (384sqm = 1)</td>
<td>1 space per 500m² of leasable floor area (348sqm = 0)</td>
</tr>
<tr>
<td>Office (Assemble Space)</td>
<td>1 space to each 300m² of net floor area if the net floor area exceeds 1000m² (206sqm = 0)</td>
<td>1 space to each 1500m² if net floor area exceeds 1000m² (206sqm = 0)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A total of 207 on-site bicycle spaces are provided, with 179 in the building’s basement and an additional 28 at ground and first floor level.

As such, the provided number of bicycle spaces greatly exceeds the 52 spaces required by Clause 52.34 of the Planning Scheme.

4.3.3 Clause 58 – Apartment Developments

Clause 58 – ‘Apartment Developments’ applies to all apartment developments of five or more storeys in the MUZ.

The purpose of Clause 58 is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
- To encourage apartment development that is responsive to the site and the surrounding area.
Following our assessment of the application plans, all Objectives of Clause 58 have been met in the design response, providing an excellent internal amenity and desirable housing option for future residents of the proposal.

An assessment against Clause 58 requirements is provided at Appendix C and within the architectural plan package prepared by FIELDWORK, highlighting the excellent internal amenity features of the proposed apartments.
5  Key Planning Considerations

5.1  Alignment with Planning Policy

The Site’s location within the defined Brunswick MAC dictate that a higher degree of change, function, land use and built form outcomes are to be achieved to the area. Direction 2.2 of Plan Melbourne 2017-2050 identifies that within MAC’s and other designated areas ‘There are also opportunities for housing development in and around the central city. There are also opportunities for more medium- and higher-density development in middle suburbs close to services…’

The proposal responds to the desired outcomes outlined in Plan Melbourne 2017-2050, in particular, Outcomes 1 and 2 of Plan Melbourne 2017-2050 which state that ‘Melbourne is a productive city that attracts investment, supports innovation and creates jobs’ and ‘Melbourne provides housing choice in locations close to jobs and services’.

The proposal is to be delivered as part of the Assemble Housing Model, which is an innovative housing pathway to home ownership in a clear response to housing affordability policies at planning policies at Clause 16.01-2S (Housing Affordability) of the Planning Scheme, while delivering a sustainable and community focused housing opportunity for a variety of future residents and driving the directions of Plan Melbourne 2017-2050 for additional, affordable housing in such identified locations as sought by Direction 2.3.

The proposal successfully implements relevant objectives and strategies of the PPF, and local planning policy noting:

Planning Policy Framework

- Provides a mix of uses to the ‘Brunswick MAC’ including a retail tenancy, communal space and complementing higher intensity residential living in a location highly accessible to the community and future residents as sought by the purposes of the MUZ.

- Positively renews the urban environment through the adaptive reuse of the retained heritage building on-site within a well resolved architectural design response that renews noted heritage features of the building and maintains its streetscape presence, while delivering an enhanced public realm and pedestrian experience. Collectively these create an inviting, functional, enjoyable, and safe environment for future residents and variety of users to the MAC, satisfying objectives and strategies of Clauses 15.01-1S and 15.01-1R (Urban Design).

- Provides an architectural and urban design outcome that has appropriately responded to and retained noted heritage characteristics of the existing building on-site, adaptively re-using, enhancing, and conserving such elements in recognising the architectural and cultural significance as required by Clause 15.03-1S (Heritage Conservation). The built form design response further appreciates the redevelopment potential of nearby properties and provides an attractive public realm outcome in responding to Clause 15.01-2S (Building Design) objectives and strategies.

- Increases housing density and supply within an established urban area and identified housing opportunity area pursuant to Clause 16.01-1S and 16.01-1R (Housing Supply), with excellent access to nearby jobs, services, and public transport in response to its strategies regarding location of new housing.

- Responds to the housing affordability issues evident across Melbourne and further provides a diversity of housing within a community sense through the Assemble Housing Model, responding to objectives and strategies at Clause 16.01-2S (Housing Affordability).

Local Planning Policy Framework

- Clause 21.02 contains Council’s Vision with a focus on providing sustainable neighbourhoods with an emphasis on the social, cultural, environmental, and economic wellbeing of the population. The variety of uses proposed in the Site’s redevelopment and overall enhancements responds to this vision and the strategic direction for ‘Activity Centres’, which includes the Brunswick MAC, identified to accommodate the most significant change across the municipality.

- Responds to Strategic Direction 3 within Clause 21.02 for ‘housing’, where significant housing growth is to occur with increased housing densities in the form of apartments and townhouses as contemplated by
this application. The provision of affordable housing provides housing diversity as sought by Council’s vision with the enhanced public realm and above standard ESD commitments further responding to other strategic directions of Clause 21.02.

- Council’s strategic framework at Clause 21.03, expands upon the Council Vision and further encourages and recognises that within MACs such as Brunswick, the greatest extent of change in land use and built form is to occur. The proposal is consistent with relevant objectives and strategies of this policy through:
  - Provision of additional retail and community uses as sought by Objective 1 and associated strategies.
  - Provision of ‘substantial growth’ to the Brunswick MAC as sought by Objective 2 and its associated strategies.
  - An increase in housing diversity, density and affordability to the Brunswick MAC as sought by Objectives 7, 8 and 9.
  - Appropriately responding to the retained heritage building on-site and positively enhancing the public realm through improving its appearance with added activity enhancing pedestrian movement within the immediate area as sought by Objective 10 and its strategies.
  - Provision a highly desirable housing option with high performance ESD standards, including daylight receipt, cross-flow ventilation, and outlook consistent with Objective 11 and its strategies and commitment to exceed standard ESD requirements of Objective 12.

- Responds to the policy objectives of Clause 22.01 for ‘substantial change areas’, contributing a new built form character with increased density and scale as sought by DDO18 applying to the Brunswick MAC.

- Provides and promotes sustainable transport modes in response to Clause 22.03 objectives through the Site’s proximity to the Brunswick Railway Station and location within the Brunswick MAC; the exceedance of bicycle parking numbers in excess of Clause 52.34 requirements; the additional and enhanced pedestrian connections provided.

- Appropriately responds to Clause 22.06 policy requirements regarding heritage through:
  - Recessing back the new built form to create a clear distinction between the old and the new and ensuring the existing heritage significance is relevantly retained and adapted in the design response.
  - Retention of the significant heritage features and 3D form of the building through the returned frontages to Ovens Street and eastern boundary interface, with a generous 6.5 metre setback provided for the upper level built form to Ballarat Street.
  - The corner site attribute of the Site enables it to be perceived from various angles of the public realm, and its overall existing appearance improved and ‘made good’.
  - The façades of the new build appropriately reference the industrial in a contemporary design response.

- The four central lightwells to the central circulation space all exceed the minimum 4.5 metre width and 29sqm area requirement of Clause 22.07, maintaining a minimum five metre width and areas ranging from 40 – 62.5sqm, in providing adequate daylight to secondary habitable areas of these dwellings and enabling natural cross ventilation to all dwellings.

- The minimum setback to the east at 4.5 metres varies Clause 22.07 policy requirements. However, when accounting for the reasonable development expectations of the eastern Sydney Road properties this setback is able to be appropriately matched to create a minimum total nine metre building separation. This separation provides an equitable outcome in response to Clause 22.07 policy objectives.

- The separation is also on a north-south axis, thus considered to provide adequate daylight receipt noting that Clause 22.07 does not consider site orientation, site location, dwelling layouts and predates Clause 58 requirements. When balanced and considered against the ESD performance to be applied to the dwellings; their response to Clause 58 objectives; daylight receipt; additional communal amenities on-site; and the significant community benefits of the proposal the minor variation to local policy at Clause 22.07 this eastern interface is appropriate.
The proposal will be benchmarked against the Built Environment Sustainability Scorecard ('BESS') with a targeted 70% rating in line with ‘design excellence’ and an excellent ESD rating in response to Clause 22.08 requirements as outlined in the ‘Sustainability Management Plan’ prepared by Atelier Ten.

5.2 Community Benefits

The delivery of the proposal through the Assemble Housing Model and the associated design response provides significant, broader community benefits through:

- 70% of apartments to be provided as ‘affordable’ housing to low-moderate income households, consistent with Victorian State Government definitions and through a clear diversity in dwellings.
- Retention and adaptive re-use of the historic and previous Perucci Shirt Factory (former) along the Site’s Ballarat Street and its corners.
- Positive enhancements and investments to the public realm through the provided ground floor uses, creating activity, attraction and interaction for future residents and the general public.
- Enhanced east-west and north-south pedestrian links adjacent to the Site, in particular recognising the role of Ballarat Street and its eastern connection to Sydney Road and western connection to the Upfield Rail Corridor and Brunswick Railway Station.
- Additional employment and job opportunities during the project construction phase and post-construction through the ground floor uses provided.
- An excellent architectural and landscape design response that offers visual interest to the changing environs.
- Commitments to excel in standard ESD requirements.

5.3 Built Form and Urban Design Outcomes

The proposed building massing and scale are appropriate for the Site and its context and in response to DDO18 requirements and immediate area for the following reasons:

- Appropriately retention and reuse of the existing heritage building on-site and its contribution to the streetscape, maintaining its appearance to Ballarat Street, depth to Ovens Street and the eastern boundary, and 3D form through the returned façades and 6.5 metre setback of the upper level to Ballarat Street. This is consistent with Council local policy and HO385 requirements.
- The retention of the heritage building to Ballarat Street does not allow the streetwall height of DDO18 to be achieved at this frontage. A clear difference between the old and new built form is however achieved at this interface through the provided 6.5 metre setback (in excess of DDO18 requirements) and change in materiality.
- The upper level setbacks to the Ballarat Street frontage do not result in unreasonable overshadowing to the southern side of Ballarat Street, with the noted recessed uppermost level at 9.3 metres enabling sunlight penetration to be received at 12pm on the September 22 equinox at a pedestrian height.
- To Ovens Street, a minor variation to the preferred 12 metre streetwall height is proposed with an approximate 13.85 metre (14.2 metres above NGL) proposed in the design response. This height is acceptable and complementary to the existing approval at 8 Ballarat Street, creating a sense of enclosure to the streetscape as sought by DDO18 requirements.
- Similarly, the building's maximum height at eight storeys is appropriate noting the Site characteristics and reflective of this recent approval at 8 Ballarat Street which collectively will create a new mid-rise built form character off Sydney Road as sought by DDO18.
- The upper levels to Ovens Street have been informed by a 1:1 street width ratio, consistent with DDO18 requirements. A minor encroachment into this ratio is sought on the two uppermost levels. Through the grouping of Levels 4 - 6 and further setback of Level 7 this enables compliance with DDO18 requirements being to ‘Adopt the same street setback for at least 75% of the height of the upper levels to avoid ‘wedding cake’ built form outcomes’.
- The uppermost minimum setback to Ovens Street further ensures this is top level is recessed and hidden in its presentation to the immediate public realm, while no unreasonable overshadowing occurs to the
western footpath of Ovens Street or the ground floor apartments of the approved development at 8 Ballarat Street, Brunswick.

- While variations to the upper level setbacks are sought in the building’s presentation to the streetscape, the objectives, and requirements of DDO18 continue to be met in the design response namely:
  - Creation of a new mid-rise built form character.
  - Remaining respectful of the retained heritage building on-site.
  - Achieving a balance between a sense of enclosure and openness to Ballarat and Ovens Streets through the retained and provided streetwalls and associated setbacks to the upper levels.

- The provision of red brick planters and terracotta colour precast walls along the Ovens Street streetwall, integrates the heritage built form character of the corner building along this street front in a contemporary design. The balance of the materials comprising light and grey concrete to the Ovens Street streetwall and ribbed lighter concrete on the uppermost levels complements the heritage characteristics and modern retained building while acknowledging the immediate areas historic industrial past. The colour palette of the upper levels ensures these are perceived secondary to the strong streetwall base/presence which is a clear directive of DDO18.

- The differing treatments to balconies at the lower and upper levels through the punctures and projections respectively, creates added articulation to the façade through visual interest and movement when observed from differing angles of the public realm.

- Enhanced activation is provided at ground floor level through the adaptive re-use of the heritage building and improving its windows and opening though new glazing which alongside the retail and community uses activates the public realm and enlightens the Site’s existing conditions.

- Appropriate siting of building services to not detract from the added activation and integrated as part of the design response as sought by DDO18.

### 5.4 Management of Adjoining Interfaces

The Site has appropriately responded to its adjoining northern and eastern interfaces, in recognising their equitable development potential given their location within the Brunswick MAC while also considering the existing heritage buildings and place fronting Sydney Road. In particular the individual Heritage Overlays applying to the Uniting Church at 491-503 Sydney Road, Brunswick, that to a reasonable extent limit their opportunities.

We note the following of the design response in the proposal’s presentation to the north and east:

- **To the north**, the provided wall on boundary can be appropriately matched in the anticipated redevelopment of the site at 20 Ovens Street, which will obtain its amenity from the north and western outlook to Ovens Street.

- **To the east**, where the building contains a wall on boundary this is to the rear of Uniting Church land parcels. When considering the heritage significance of the existing buildings on these two sites, this restricts their redevelopment potential to the rear. As such, as part of their future redevelopment these properties are able to appropriately match the wall on boundary while maintaining the heritage integrity of the front heritage buildings.

- **Further to the south-east of the Site and above the retained saw-tooth roof**, the built form is stagnated with a minimum 4.5 metres provided which can be equally matched with properties fronting Sydney Road to create a minimum nine metre of building separation and provide adequate separation for daylight receipt to internal areas of proposed and future apartments and remove any reliance of future overlooking treatments pursuant to Clause 55.04-6 of the Planning Scheme.

Accordingly, the proposal will not impact on the reasonable development potential of these northern and eastern properties and the existing heritage buildings fronting Sydney Road.

### 5.5 Internal Amenity for Future Occupants

The proposed use and development of the Site responds to the need to provide additional affordable housing opportunities within inner-city localities and provides an excellent internal amenity and highly liveable lifestyle choice for future residents.
The internal layouts of each of the dwellings are generous and well-conceived in response to market demand following the recent approval and balloting process of the Assemble Housing project at 393-399 Macaulay Road, Kensington through Planning Permit TP-2018-360.

With respect to this proposal we note the following:

- The diversity of dwelling types across the proposal, with a range of studio, one-bedroom, two-bedroom and three-bedroom options.
- All dwellings are designed and oriented to receive excellent daylight and solar access to their principal living areas taking advantage of the Site’s significant land size area and two (2) street frontages. Secondary amenity is afforded to the dwellings via the central communal corridor area where bedrooms (generally secondary) are positioned, with appropriately sized light courts provided in excess of Clause 22.07 requirements.
- Each dwelling is accessible via easily identifiable pedestrian entrances to the enhanced streetscape of Ballarat and Ovens Streets at ground floor with generous transitional space and via the basement level through the provision of lift and stair facilities.
- Each dwelling is provided with sufficient secluded private open space in the form of terraces, with an area between 8 – 63sqm with direct access from the dwelling’s primary living area.
- All dwellings are designed to contain natural cross-flow ventilation through the provided open central circulation, which further creates a sense of community and opportunities for resident interaction at each level, enhancing their liveability and attraction.
- Each dwelling has been designed in accordance with the objectives of Clause 58 of the Planning Scheme, notably exceeding the cross ventilation Standard, and complying with relevant accessibility, room depth, private open space and living area objectives of Clause 58.
- A key feature of the proposal is the communal spaces at ground floor level and rooftop terrace area, providing additional resident amenities and opportunities for social community interaction.
- Provision of 207 lock-up bicycle spaces, greatly in excess of Clause 52.34 statutory requirements.
- Generous provision of external storage space within the building’s basement and internal storage space within the dwellings themselves.

The Site’s location within the Brunswick MAC further affords future resident excellent access to existing and planned nearby facilities and services, as well as being located within close proximity to the Brunswick Railway Station connecting the Site to the PPTN.

5.6 Management of Offsite Amenity Impacts

The Site does not contain any direct abutments to sensitive interfaces. The proposed use and development will further not unreasonably impact upon existing commercial or residential uses in the near vicinity of the Site in particular when accounting for the anticipated change and redevelopment of the Brunswick MAC in-line with DDO18 objectives and requirements.

The below assessment considers the amenity impacts caused in respect of overlooking and overshadowing with the built form and visual amenity impact covered in Sections 5.2 and 5.3 above.

Overlooking

- Given the Site’s corner site characteristic and no sensitive uses adjoining its boundaries, no unreasonable overlooking will arise.
- The recently approved apartments at 8 Ballarat Street are separated approximately 12 metres from the Site given the width of Ballarat Street, notably greater than the nine metre overlooking requirement prescribed at Clause 55.04-6 of the Planning Scheme if it otherwise applied.
- The walls on boundaries to the Site’s south-east do not contain any windows. Otherwise the minimum 4.5 metre setback applied at this eastern interface, caters for the development expectations of properties fronting Sydney Road. When this provided setback is matched, a minimum nine metre building separation...
is provided thus satisfying the requirements at Clause 55.04-6 of the Planning Scheme. Therefore, no future unreasonable overlooking is anticipated to occur.

**Overshadowing**

- Given the scale and size of the proposal the overshadowing provisions of Clause 55.04-5 do not apply. However, they have been reasonably considered in the architectural package prepared by Fieldwork, particularly as the building relates to the western side of Ovens Street and dwellings approved at 8 Ballarat Street.

- Noting neither Ballarat or Ovens Streets are identified as ‘key pedestrian streets’ within DDO18, the design objectives and requirements of the control do not seek solar protection to the public realm. Notwithstanding, while reduced setbacks above the 1:1 street to height ratio occur for the upper levels, this does not result in unreasonable overshadowing to the public realm of Ballarat or Ovens Streets. As shown in the shadow diagrams, by 10:30-11am there is no shadow to the western footpath of Ovens Street and the shadow to the southern Ballarat Street at 12pm is limited to one metre above the footpath height enabling adequate sunlight to be received to pedestrian uses of this street.

- When balanced against the ultimate enhancement of the public realm on the northern side of Ballarat Street and the eastern side of Ovens Street; the limited time the shadow cast occurs; other aspirations of the PPF in respect of optimising development opportune sites such as this; and the provision of affordance housing, the extent of shadow cast to these footpaths is considered appropriate.

**5.7 ESD Performance**

With regards to the ESD performance of the building we rely upon the ‘Sustainability Management Plan’ prepared by Atelier Ten, however note the following ESD features to be incorporated in the proposal:

- Benchmarked against BESS requirements, with a targeted 70% rating in line with ‘design excellence’ in exceeding the minimum 50% requirement and in response to Clause 22.08 requirements.

- Use of robust materials throughout the building, with pre-cast concrete to be noted primary structural material for durability and thermal mass performance.

- Natural cross-flow ventilation to each apartment through the provided open circulation areas. This passive design feature limits the reliance on mechanical heating and cooling throughout the year.

- High performance glazing and appropriate fenestration ratios to reduce thermal loads and provide natural light to habitable areas of each apartment.

- Promotion of sustainable transport modes such as walking and cycling, vastly exceeding the statutory requirement for bicycle parking contained at Clause 52.34 of the Planning Scheme.
6 Conclusion

As outlined in this submission, the proposed use and development of the land at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick appropriately meets the policy requirements and strategic direction of the Planning Scheme.

The location of the Site within the Brunswick MAC provides all necessary justification for the Site’s urban renewal in the form and scale proposed and the anticipated and continually changing character of the immediate environs.

More specifically, the proposal:

- Aligns with key objectives and strategies of State and local planning policy through the provision of additional, affordable and a diversity of housing within an identified Major Activity Centre and forecast population growth.
- Contributes towards the significance of the Brunswick MAC through a community led development with increased housing, jobs, and economic activity.
- Provides a mixed-use development with an improved and enhanced public realm and pedestrian connections through a considered architectural and urban design response which has appropriately acknowledged and responded to the existing heritage building on-site and revitalising its presence.
- Does not unreasonably impact upon nearby existing residential properties or the public realm in context of the Site’s location within the Brunswick MAC.

On this basis, it is considered the proposal provides a well resolved design outcome for this strategic site and will deliver a significant net-community benefit to the immediate and broader area and warrants approval.
Appendix A
Copy of Title
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958
============================================================================

VOLUME 08114 FOLIO 470 Security no : 124086561423A
Produced 13/11/2020 10:05 AM

LAND DESCRIPTION
-----------------
Lot 1 on Title Plan 838517A.

PARENT TITLES:
Volume 07894 Folio 076 to Volume 07894 Folio 077
Volume 08050 Folio 613 Volume 08114 Folio 469
Created by instrument 5548463R 13/04/1954

REGISTERED PROPRIETOR
---------------------
Estate Fee Simple
Sole Proprietor
ASSEMBLE BSB PTY LTD of LEVEL 2 649 BRIDGE ROAD RICHMOND VIC 3121
AT408531H 07/07/2020

ENCUMBRANCES, CAVEATS AND NOTICES
---------------------------------
COVENANT as to part 1675437

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section
24 Subdivision Act 1988 and any other encumbrances shown or entered on the
plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION
-----------------
SEE TP838517A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS
-------------------------------
NIL

------------------------END OF REGISTER SEARCH STATEMENT------------------------

Additional information: (not part of the Register Search Statement)

ADMINISTRATIVE NOTICES
----------------------
NIL

eCT Control 20620D HERBERT SMITH FREEHILLS
Effective from 07/07/2020

DOCUMENT END
Delivered from the LANDATA® System by InfoTrack Pty Ltd.

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by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited
who is licensed by the State of Victoria to provide this information via LANDATA® System.
Transfer of Land

W. B. & O. McCUTCHEON

WE, CHARLOTTE AMELIA GRUNDY formerly of 614 Sydney Road Brunswick but now of 33 Rennie Street Coburg Widow and VALLANCE ROTHWELL GRUNDY formerly of 71 Tooronga Road Hawthorn but now of 33 Rennie Street Coburg Timber Merchant, being registered as the proprietors as tenants in common in equal shares of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of ONE THOUSAND FOUR HUNDRED AND FIFTY POUNDS paid to us by JAMES THOMAS SYNNAN of 25 Breeze Street Brunswick Machinery Merchant DO HEREBY TRANSFER to the said James Victor Thomas Syman all our estate and interest in Firstly ALL THAT piece of land delineated and colored red on the map in the margin hereof being part of Crown Portion One hundred and Nine at Brunswick Parish of Jika Jika County of Bourke and being part of the land more particularly described in Certificate of Title Volume 5167 Folio 1033979 and Secondly ALL THAT piece of land delineated and colored blue on the map in the margin hereof being part of Crown Portion One hundred and Nine at Brunswick Parish of Jika Jika County of Bourke and being part of the land more particularly described in Certificate of Title Volume 5167 Folio 1033979 and the said James Thomas Syman DO HEREBY for himself his heirs, executors, administrators and transferee registered proprietor or proprietors for the time being of the said land hereby transferred covenant with the said Charlotte Amelia Grundy and Vallance Rothwell Grundy their and each of their heirs, executors, administrators and transferee registered proprietor or proprietors for the time being of the land remaining untransferred in the said Certificates of Title that the said land hereby transferred or any part thereof shall not be used for the purpose of carrying on therein or on any part thereof the business of a timber merchant or joinery manufacturer and it is hereby requested that the foregoing Covenant shall appear as an encumbrance on the Certificates of Title to issue in respect of this Transfer and on all subsequent Certificates of Title in IMAGED.
respect of the said land and to run with such land.

DATED the eleventh day of January, One thousand nine hundred and thirty eight.

SIGNED by the said CHARLOTTE AMELIA GRUNDY in Victoria in the presence of Charlotte A. Grundy

Managing Clerk to W. A. F. V. A. McCubbin.
Solicitor, Melbourne.

SIGNED by the said VANCE ROTHWELL GRUNDY in Victoria in the presence of -

SIGNED by the said JAMES THOMAS BYRAN in Victoria in the presence of -

SIGNED by the said JAMES THOMAS BYRAN in Victoria in the presence of -

MANIFESTANCES REFERRED TO -
REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

VOLUME 04706 FOLIO 168  Security no :  124086561480N
Produced 13/11/2020 10:07 AM

LAND DESCRIPTION
----------------
Lot 1 on Title Plan 692978U.
PARENT TITLE Volume 01631 Folio 074
Created by instrument 1108708 07/06/1923

REGISTERED PROPRIETOR
---------------------
Estate Fee Simple
Sole Proprietor
ASSEMBLE BSB PTY LTD of LEVEL 2 649 BRIDGE ROAD RICHMOND VIC 3121
AT408531H 07/07/2020

ENCUMBRANCES, CAVEATS AND NOTICES
---------------------------------
Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION
----------------
SEE TP692978U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS
-----------------------------
NIL

------------------------END OF REGISTER SEARCH STATEMENT------------------------

Additional information: (not part of the Register Search Statement)

Street Address: 14 OVENS STREET BRUNSWICK VIC 3056

ADMINISTRATIVE NOTICES
----------------------
NIL

eCT Control    20620D HERBERT SMITH FREEHILLS
Effective from 07/07/2020

DOCUMENT END
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Location of Land
Parish: AT BRUNSWICK PARISH OF JIKA JIKA
Township: 
Section: 
Crown Allotment: 
Crown Portion: 109(PT)

Lost Plan Reference:
Derived From: VOL 4706 FOL 168
Depth Limitation: NIL

Description of Land / Easement Information

COLOUR CODE
R = RED
BL = BLUE

TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962

PARCEL 1 = CP 109 (PT)
LAND DESCRIPTION
----------------
Land in Plan of Consolidation 158970K.

PARENT TITLES:
Volume 08394 Folio 681  Volume 09001 Folio 439
Created by instrument CP158970K 14/02/1985

REGISTERED PROPRIETOR
---------------------
Estate Fee Simple
Sole Proprietor
ASSEMBLE BSB PTY LTD of LEVEL 2 649 BRIDGE ROAD RICHMOND VIC 3121
AT408531H 07/07/2020

ENCUMBRANCES, CAVEATS AND NOTICES
---------------------------------
Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION
-----------------
SEE CP158970K FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS
-------------------------------
NIL

END OF REGISTER SEARCH STATEMENT------------------------

Additional information: (not part of the Register Search Statement)

Street Address: 16-18 OVENS STREET BRUNSWICK VIC 3056

ADMINISTRATIVE NOTICES
----------------------
NIL

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Effective from 07/07/2020

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Appendix B
DELWP Planning Report
PLANNING PROPERTY REPORT

PROPERTY DETAILS
Address: 2 BALLARAT STREET BRUNSWICK 3056
Lot and Plan Number: Lot 1 TP838517
Standard Parcel Identifier (SPI): 1\TP838517
Local Government Area (Council): MORELAND
Council Property Number: 12156
Planning Scheme: Moreland
Directory Reference: Melway 29 G7

UTILITIES
Rural Water Corporation: Southern Rural Water
Melbourne Water Retailer: Yarra Valley Water
Melbourne Water: Inside drainage boundary
Power Distributor: CITIPOWER

STATE ELECTORATES
Legislative Council: NORTHERN METROPOLITAN
Legislative Assembly: BRUNSWICK

Planning Zones
MIXED USE ZONE (MUZ)
SCHEDULE TO THE MIXED USE ZONE (MUZ)

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).
Planning Overlays

**DESIGN AND DEVELOPMENT OVERLAY (DDO)**

**DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 18 (DDO18)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

**DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)**

**DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 1 (DCPO1)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.
**Planning Overlays**

**ENVIRONMENTAL AUDIT OVERLAY (EAO)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

**HERITAGE OVERLAY (HO)**

**HERITAGE OVERLAY - SCHEDULE (HO385)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

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Planning Overlays

OTHER OVERLAYS

INTEGRATED PLAN OVERLAY (IPO)
PARKING OVERLAY (PO)
SPECIAL BUILDING OVERLAY (SBO)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

Further Planning Information

Planning scheme data last updated on 11 November 2020.

A planning scheme sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a Planning Certificate issued pursuant to Section 199 of the Planning and Environment Act 1987. It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit https://mapshare.maps.vic.gov.au/vicplan

For other information about planning in Victoria visit https://www.planning.vic.gov.au

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).
This property is not in a designated bushfire prone area. No special bushfire construction requirements apply. Planning provisions may apply.

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at https://mapshare.maps.vic.gov.au/vicplan or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au.


PROPERTY DETAILS

Address: 4-6 BALLARAT STREET BRUNSWICK 3056
Lot and Plan Number: Lot 1 TP838517
Standard Parcel Identifier (SPI): \TP838517
Local Government Area (Council): MORELAND
Council Property Number: 12157
Planning Scheme: Moreland
Directory Reference: Melway 29 G7

UTILITIES

Rural Water Corporation: Southern Rural Water
Melbourne Water Retailer: Yarra Valley Water
Melbourne Water: Inside drainage boundary
Power Distributor: CITIPOWER

STATE ELECTORATES

Legislative Council: NORTHERN METROPOLITAN
Legislative Assembly: BRUNSWICK

PLANNING ZONES

MIXED USE ZONE (MUZ)
SCHEDULE TO THE MIXED USE ZONE (MUZ)

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.
ENVIROMENTAL AUDIT OVERLAY (EAO)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

HERITAGE OVERLAY (HO)
HERITAGE OVERLAY - SCHEDULE (HO385)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.
Planning Overlays

OTHER OVERLAYS

INCORPORATED PLAN OVERLAY (IPO)
PARKING OVERLAY (PO)
SPECIAL BUILDING OVERLAY (SBO)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 11 November 2020.

A planning scheme sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a Planning Certificate issued pursuant to Section 199 of the Planning and Environment Act 1987. It does not include information about exhibited planning scheme amendments, orzonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit https://mapshare.maps.vic.gov.au/vicplan

For other information about planning in Victoria visit https://www.planning.vic.gov.au

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at https://www2.delwp.vic.gov.au/disclaimer

Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).
Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at https://mapshare.maps.vic.gov.au/vicplan or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au

PROPERTY DETAILS

Address: 14 OVENS STREET BRUNSWICK 3056
Lot and Plan Number: Lot 1 TP692978
Standard Parcel Identifier (SPI): 1\TP692978
Local Government Area (Council): MORELAND
Council Property Number: 12173
Planning Scheme: Moreland
Directory Reference: Melway 29 G7

UTILITIES

Rural Water Corporation: Southern Rural Water
Melbourne Water Retailer: Yarra Valley Water
Melbourne Water: Inside drainage boundary
Power Distributor: CITIPOWER

STATE ELECTORATES

Legislative Council: NORTHERN METROPOLITAN
Legislative Assembly: BRUNSWICK

Planning Zones

MIXED USE ZONE (MUZ)
SCHEDULE TO THE MIXED USE ZONE (MUZ)

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.
ENIRONMENTAL AUDIT OVERLAY (EAO)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

OTHER OVERLAYS

Heritage Overlay (HO)
Parking Overlay (PO)

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend
Further Planning Information

Planning scheme data last updated on 11 November 2020.

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For other information about planning in Victoria visit https://www.planning.vic.gov.au
This property is not in a designated bushfire prone area. 
No special bushfire construction requirements apply. Planning provisions may apply.

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at https://mapshare.maps.vic.gov.au/vicplan or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au

PROPERTY DETAILS

Address: 16-18 OVENS STREET BRUNSWICK 3056
Lot and Plan Number: Plan CP158970
Standard Parcel Identifier (SPI): CP158970
Local Government Area (Council): MORELAND
Council Property Number: 12174
Planning Scheme: Moreland
Directory Reference: Melway 29 G7

UTILITIES
Rural Water Corporation: Southern Rural Water
Melbourne Water Retailer: Yarra Valley Water
Melbourne Water: Inside drainage boundary
Power Distributor: CITIPOWER

STATE ELECTORATES

Legislative Council: NORTHERN METROPOLITAN
Legislative Assembly: BRUNSWICK

Planning Zones

MIXED USE ZONE (MUZ)
SCHEDULE TO THE MIXED USE ZONE (MUZ)

Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.
**Planning Overlays**

**DESIGN AND DEVELOPMENT OVERLAY (DDO)**
**DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 18 (DDO18)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.

**DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)**
**DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 1 (DCPO1)**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend.
Further Planning Information

Planning scheme data last updated on 11 November 2020.

A planning scheme sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

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For other information about planning in Victoria visit https://www.planning.vic.gov.au
Designated Bushfire Prone Areas

This property is not in a designated bushfire prone area. No special bushfire construction requirements apply. Planning provisions may apply.

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at [https://mapshare.maps.vic.gov.au/vicplan](https://mapshare.maps.vic.gov.au/vicplan) or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website [https://www.vba.vic.gov.au](https://www.vba.vic.gov.au).


Appendix C
Clause 58 Assessment
## Clause 58 Assessment

**2-6 Ballarat Street, 14-18 Ovens Street, Brunswick**

### Objectives and summary of standards
- A development **must** meet all objectives
- A development **should** meet all standards

### Applicant's Assessment

#### Clause 58.01-1:
**Urban Context Report and Design Response**

An application must be accompanied by:
- An urban context report.
- A design response.

**Complies**

This report and the accompanying architectural package prepared by FIELDWORK provide a detailed urban context report and design response in accordance with this requirement.

#### Clause 58.01-2:
**Urban context report**

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:
- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.
- An assessment of the characteristics of the area including:
  - Any environmental features such as vegetation, topography and significant views.
  - The pattern of subdivision.
  - Street design and landscape.
  - The pattern of development.
  - Building form, scale and rhythm.
  - Connection to the public realm.
  - Architectural style, building details and materials.
  - Off-site noise sources.
  - The relevant NatHERS climate zones (as identified in Clause 58.03-1).

**Complies**

This report and the accompanying architectural package prepared FIELDWORK provide details of the site by way of a site plan, photographs, and written description in accordance with this requirement.
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

<table>
<thead>
<tr>
<th>Clause 58.01-3: Design Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>The design response must explain how the proposed design:</td>
</tr>
<tr>
<td>• Responds to any relevant planning provision that applies to the land.</td>
</tr>
<tr>
<td>• Meets the objectives of Clause 58.</td>
</tr>
<tr>
<td>• Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.</td>
</tr>
<tr>
<td>• Derives from and responds to the urban context report.</td>
</tr>
</tbody>
</table>

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

<table>
<thead>
<tr>
<th>Clause 58.02-1 – Urban Context Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To ensure that the design respects the existing urban context or contributes to the preferred future development of the area.</td>
</tr>
<tr>
<td>• To ensure the development responds to the features of the site and surrounding area.</td>
</tr>
</tbody>
</table>

Standard D1 (cannot be varied)

- The design response must be appropriate to the urban context and the site.
- The proposed design must respect the existing or preferred urban context and respond to the features of the site.

**Decision Guidelines**

*Before deciding on an application, the responsible authority must consider:*

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

<table>
<thead>
<tr>
<th>Clause 58.02-2 – Residential Policy Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.</td>
</tr>
<tr>
<td>• To support higher density residential development where development can take advantage of public and community infrastructure and services.</td>
</tr>
</tbody>
</table>

Standard D2 (cannot be varied)

An application must be accompanied by a written statement that describes how the development is consistent with any relevant policy for housing in:

- the SPPF; and
- the LPFF including the MSS; and
- Local Planning Policies (i.e. Clause 22.01 – Urban Design within the Capital City Zone).

**Decision Guidelines**

*Before deciding on an application, the responsible authority must consider:*

- The State Planning Policy Framework and the Local Planning Policy Framework including the Municipal Strategic Statement and local planning policies.

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Material included within the accompanying architectural package and this planning report clearly articulates how the proposed development derives from, and responds to, the existing heritage building on the Site, planning policies and planning controls in particular DDO18 applying to the Brunswick Major Activity Centre.</td>
</tr>
</tbody>
</table>

An assessment against the objectives of Clause 58 follows below.

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>A detailed assessment of the Site’s urban context and surrounding area is provided at Sections 2 and 5.3 of this report and the accompanying architectural package prepared by FIELDWORK.</td>
</tr>
</tbody>
</table>

As detailed in the body of this report, the design and siting of the proposal is considered appropriate in the context of the Site and surrounding area. The architectural material and various consultant reports that accompany the application includes a detailed study of surrounding land uses and development, including its location, scale and intensity particularly that destined to evolve to this strategic precinct.

The proposal envisages an appropriate truly mixed-use development that is extremely well located to take advantage of the various retail, community and service amenities associated with the Brunswick Major Activity Centre.

The development provides an affordable housing solution through delivery of the Assemble Housing Model in response policy requirements along with a diversity in housing in an area close to existing jobs, services and public transportation and clearly identified for change in State and local planning policy. The
- The design response.

high quality architectural design ensures the development will provide a positive contribution to the surrounding area. This is entirely consistent with the directives of Plan Melbourne and State and Local Planning Policy Framework policies of the Planning Scheme on the basis that the proposal remains entirely respectful of nearby developments, approvals and aspirations in this evolving locality.

<table>
<thead>
<tr>
<th>Clause 58.02-3 – Dwelling Diversity Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To encourage a range of dwelling sizes and types in development of ten or more dwellings.</td>
</tr>
</tbody>
</table>

**Standard D3 (can be varied)**

Developments of 10 or more dwellings should provide a range of dwelling sizes and types including dwellings with a different number of bedrooms.

*There are no decision guidelines for this objective and standard.*

<table>
<thead>
<tr>
<th>Clause 58.02-4 – Infrastructure Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To ensure development is provided with appropriate utility services and infrastructure.</td>
</tr>
<tr>
<td>• To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</td>
</tr>
</tbody>
</table>

**Standard D4 (can be varied)**

- Development should be connected to reticulated services including reticulated sewerage, drainage, electricity and gas if available.
- Developments should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.
- In areas where utility services or infrastructure have little or no space capacity, developments should provide for the upgrading or mitigation of the impact on services or infrastructure.

*Decision Guidelines*

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

<table>
<thead>
<tr>
<th>Clause 58.02-5 – Integration with the Street Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To integrate the layout of development with the street.</td>
</tr>
</tbody>
</table>

**Standard D5**

- Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.
- Development should be orientated to front existing and proposed streets.
- High fencing in front of dwellings should be avoided if practicable.

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposal incorporates a range of studio, one, two and three-bedroom options, displaying a range of sizes, types and layouts.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposal development is able to be connected to all services required for the residential, commercial and public uses of the land.</td>
</tr>
</tbody>
</table>

A 30,000 litre rainwater tank is proposed in the basement services room with water connected from the roofs rainwater run-off and used for toilet flushing in the building.

The proposal will not result in unsustainable demands upon existing and planned infrastructure.

<table>
<thead>
<tr>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed development takes advantage of the Site’s corner location, orientated the development toward the Ballarat and Ovens Street frontages, while integrating and remaining respectful of the existing heritage building on-site.</td>
</tr>
</tbody>
</table>

The proposal is well integrated with the street including concentrated activity at ground floor level through the adaptive reuse of the existing
• Development next to existing public open space should be laid out to complement the open space.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

• Any relevant urban design objective, policy or statement set out in this scheme.
• The design response.

**Clause 58.03-1 – Energy Efficiency Objective**

• To achieve and protect energy efficient dwellings and buildings.
• To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
• To ensure dwellings achieve adequate thermal efficiency.

**Standard D6 (Can be varied)**

• Buildings should be:
  • Oriented to make appropriate use of solar energy.
  • Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
• Living areas and private open space should be located on the north side of the development, if practicable.
• Developments should be designed so that solar access to north-facing windows is optimised.
• Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in Table D1:

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M2 per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
</tbody>
</table>

Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

• The design response.
• The size, orientation and layout of the site.
• The existing amount of solar access to abutting properties.
• The availability of solar access to north-facing windows on the site.
• The annual cooling load for each dwelling.

**Clause 58.03-2 – Communal Open Space Objective**

• To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

**Standard D7 (Can be varied)**

**Complies**

The proposal provides excessive communal open space at ground floor and on the building’s roof, greatly in excess of Standard D7.
Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

### Clause 58.03-3 – Solar access to communal outdoor open space objective

- To allow solar access into communal outdoor open space.

**Standard D8 (Can be varied)**

- The communal outdoor open space should be located on the north side of a building, if appropriate.
- At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

### Clause 58.03-4 – Safety Objectives

- To ensure the layout of development provides for the safety and security of residents and property.

**Standard D9 (Can be varied)**

- Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
- Planting which creates unsafe spaces along streets and accessways should be avoided.
- Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.
- Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Complies

The location of the communal open space on the building’s roof receives ensures it will not be obstructed and receive adequate solar access on the winter equinox for a minimum of two hours on the 21 June.
**Decision Guidelines**

Before deciding on an application, the responsible authority must consider the design response.

---

<table>
<thead>
<tr>
<th>Clause 58.03-5 – Landscaping Objectives</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To encourage development that respects the landscape character of the area.</td>
<td>The Site’s land size area at approximately 3,120 square metres requires 15% of the site area to be allocated for deep soil area or approximately 468 square metres, with one (1) large tree to be planted or two (2) medium trees per 90 square metres.</td>
</tr>
<tr>
<td>• To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</td>
<td>While the number of trees and area of deep-soil planting does not satisfy Standard D10 requirements, importantly, Standard D10 also states ‘[If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:’</td>
</tr>
<tr>
<td>• To provide appropriate landscaping.</td>
<td>* Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.</td>
</tr>
<tr>
<td>• To encourage the retention of mature vegetation on the site.</td>
<td>* Vegetated planters, green roofs or green facades.’</td>
</tr>
<tr>
<td>• To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.</td>
<td>Given the anticipated change of the area as a recognised Major Activity Centre, the proposal does not provide for the deep-root planting however incorporates landscaping in the form of green landscaping and trees within the central ground floor communal open space area; climbers and planter boxes to each of the common circulation areas, overall providing a sustainable and pleasant environment for future residents of the proposal as indicated in the ‘Landscape Concept Plan’ prepared by Rush/Wright Associates.</td>
</tr>
</tbody>
</table>

**Standard D10 (Can be varied)**

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

---

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the State Planning Policy Framework and Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
The design response.

The location and size of gardens and the predominant plant types in the area.

The health of any trees to be removed.

The suitability of the proposed location and soil volume for canopy trees.

The ongoing management of landscaping within the development.

The soil type and drainage patterns of the site.

**Clause 58.03-6 – Access Objective**

- To ensure the number and design of vehicle crossovers respects the urban context.

**Standard D11 (Can be varied)**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

**Decision Guidelines**

*Before deciding on an application, the responsible authority must consider:*

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

**Clause 58.03-7 – Parking Location Objective**

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

**Standard D12 (Can be varied)**

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision Guideline**

- Before deciding on an application, the responsible authority must consider the design response.

**Clause 58.03-8 – Integrated Water And Stormwater Management Objective**

Complies

The proposal removes existing crossovers to Ballarat and Ovens Street and provides for one (1) renewed crossover in the north-west corner of the Site along Ovens Street.

The width of the accessway to Ovens Street at approximately 6.1 metres allows for two-way vehicle access and accounts for approximately 7.17% of the total 85 metre Ovens Street frontage.

Complies

The car parking area is provided within a single dedicated area in the building’s basement levels, with convenient access to each apartment provided by lift and stair facilities and the generous circulation areas.

No habitable rooms are located near the car park or accessway.
- To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
- To facilitate stormwater collection, utilisation and infiltration within the development.
- To encourage development that reduces the impact of stormwater runoff on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

### Standard D13 (Can be varied)

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

### Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether discharge from the site to the stormwater will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.

### Clause 58.04-1 – Building Setback Objective

- To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
- To allow adequate daylight into new dwellings.
- To limit views into habitable room windows and private open space of new and existing dwellings.
- To provide a reasonable outlook from new dwellings.
- To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

### Standard D14 (Can be varied)

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.

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A 30,000 litre rainwater tank is proposed beneath the basement, with rainwater tank connected from the buildings roof and reticulated for toilet flushing.

Enclosed within the ‘Sustainability Management Plan’ prepared by Atelier Ten, is a STORM report to satisfy Best Practice Environmental Management Guidelines and Clause 22.08 requirements of the Planning Scheme, with a STORM rating in excess of 100%.

Further information with regards to the proposal’s water use is contained in the accompanying ‘Environmentally Sustainable Design Report’ prepared by Atelier Ten.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways. The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

<table>
<thead>
<tr>
<th>Clause 58.04-2 – Internal Views Objective</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To limit views into the private open space and habitable room windows of dwellings within a development.</td>
<td></td>
</tr>
<tr>
<td><strong>Standard D15 (Can be varied)</strong></td>
<td></td>
</tr>
<tr>
<td>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.</td>
<td></td>
</tr>
<tr>
<td><strong>Decision Guidelines</strong></td>
<td></td>
</tr>
<tr>
<td>• Before deciding on an application, the responsible authority must consider the design response.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Clause 58.04-3 – Noise Impacts Objective</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To contain noise sources in developments that may affect existing dwellings.</td>
<td></td>
</tr>
<tr>
<td>• To protect residents from external and internal noise sources.</td>
<td></td>
</tr>
<tr>
<td><strong>Standard D16 (Can be varied)</strong></td>
<td></td>
</tr>
<tr>
<td>Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.</td>
<td></td>
</tr>
<tr>
<td>The layout of new dwellings and buildings should minimise noise transmission within the site.</td>
<td></td>
</tr>
<tr>
<td>Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.</td>
<td></td>
</tr>
<tr>
<td>New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.</td>
<td></td>
</tr>
<tr>
<td>Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:</td>
<td></td>
</tr>
</tbody>
</table>

The proposal has been designed to avoid any unreasonable overlooking to private open space areas of dwellings within the development, either directly below or alongside.
• Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
• Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

• The design response.
• Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
• Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
• Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
• Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

**58.05-1 Accessibility objective**

• To ensure the design of dwellings meets the needs of people with limited mobility.

**Standard D17**

At least 50 per cent of dwellings should have:

• A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
• A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
• A main bedroom with access to an adaptable bathroom.
• At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

<table>
<thead>
<tr>
<th>Table D4 - Bathroom Design</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Design Option A</strong></td>
</tr>
<tr>
<td><strong>Door Opening</strong></td>
</tr>
<tr>
<td>A clear 850mm wide door opening.</td>
</tr>
<tr>
<td><strong>Door Design</strong></td>
</tr>
<tr>
<td>Either:</td>
</tr>
<tr>
<td>* A slide door, or</td>
</tr>
<tr>
<td>* A door that opens outwards, or</td>
</tr>
<tr>
<td>* A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td><strong>Circulation area</strong></td>
</tr>
<tr>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td>* A minimum width of 1 metre.</td>
</tr>
</tbody>
</table>

**Compiles**

101 of the 172 apartments (58.7%) of the apartments are designed to be ‘accessible’ thus satisfying the Standard and Objective of clause 58.05-1.
<table>
<thead>
<tr>
<th>Path to circulation area</th>
<th>A clear path with a minimum width of 900mm from the door opening to the circulation area.</th>
<th>Not applicable.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

There are no decision guidelines for this objective and standard.

**58.05-2 Building entry and circulation objective**

- To provide each dwelling and building with its own sense of identity.
- To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
- To ensure internal communal areas provide adequate access to daylight and natural ventilation.

**Standard D18 (can be varied)**

Entries to dwellings and residential buildings **should**:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings **should**:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision Guidelines**

*Before deciding on an application, the responsible authority must consider*:

- The design response.

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**Compiles**

The Site contains two (2) street frontages, and which are to be to be significantly enhanced through the adaptive reuse of the existing heritage building and provision of commercial and residential uses at ground floor.

The entrances to the lobby areas from both Ballarat and Ovens Street is generous in size and is clearly identifiable and provides a sense of address to the streetscape, successfully integrating with the public realm and existing heritage building.

The vehicle entrance way is also provided via Ovens Street, clearly separated from the pedestrian entrances along this frontage.

The residential entrance, is further afforded with a generous lobby area and mailroom for the added convenience of future residents. Corridors of the building’s upper levels are open and contain a series voids which enhance natural light, ventilation to this area and the dwellings.
The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Clause 58.05-3 – Private Open Space Objective**

- To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard D19 (can be varied)**

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

<table>
<thead>
<tr>
<th>Table D5 Balcony Size</th>
<th>Minimum Area</th>
<th>Minimum Dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- the design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

Compiles

Each dwelling is provided with a private open space area with convenient access from a living room, which range in size from 8-63 square metres, depending on the size of the apartment, and complying with the minimum dimension sizes.

All of the upper level apartments satisfy the minimum balcony dimensions and sizes required for their respective bedroom types, however a variation to the Standard requirement for ground floor apartments along the Ovens Street frontage which is considered acceptable when considering:

- These courtyard areas are accessible from the principal living areas of the apartment and their sizes are appropriate for the one and two bedroom apartments they are provided for, and the various recreation and service needs of future occupants.
- The size and dimensions of these courtyard areas otherwise satisfying the minimum balcony requirements of Standard D19.
- The western orientation of these courtyard areas providing an excellent exposure to natural sunlight.
- The communal open space and amenity features provided as part of the development, including the rooftop pavilion and central north-south open space areas.
- The requirements of DD018 applying to the Site being the ‘Frontage Type C’ activation where individual entry doors is to be provided to dwellings and privacy applied through elevating the ground floor above street level, which is achieved in this instance alongside individual gates/front fences for privacy and security purposes.

A minor variation is also sought to Apt 210, which is on the Ballarat Street above the heritage building and forms part of this podium thus requiring a 15sqm private open space area. When accounting for the size of this apartment being a one-bedroom dwelling, it satisfying the Standard balcony requirements, and the design response overall retention and reuse of the retained heritage building variation for this apartment is considered acceptable. The other apartments at podium level to both Ballarat and Ovens Street otherwise satisfy this requirement.

All air conditioning units are placed on the building’s roof and are to be appropriately screened.
Accordingly, each of the private open space areas across the building satisfies the objective requirements of Clause 58.05-3.

### Clause 58.05-4 – Storage Objective

- To provide adequate storage facilities for each dwelling

### Standard D20 (can be varied)

- Each dwelling should have convenient access to usable and secure storage space.
- The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

### Table D6 - Storage

<table>
<thead>
<tr>
<th>Dwelling Type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

### Decision Guidelines

*Before deciding on an application, the responsible authority must consider:

- the design response.
- The useability, functionality and location of storage facilities provided for the dwelling.*

### Clause 58.06-1 – Common Property Objective

- To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
- To avoid future management difficulties in areas of common ownership.

### Standard D21 (can be varied)

- Developments should clearly delineate public, communal and private areas.
- Common property, where provided, should be functional and capable of efficient management.

### Decision Guidelines

*There are no decision guidelines for this objective and standard.*

### Clause 58.06-2 – Site Services Objective

- To ensure that site services can be installed and easily maintained.
- To ensure that site facilities are accessible, adequate and attractive.

### Standard D22 (can be varied)

- The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.
- Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

### Complies

Each dwelling is provided with storage that meets or exceeds the requirements of Table D6. This includes storage provided both within the dwelling and lockable storage located in the basement level as detailed at Drawing Nos. TP6.101 – TP6.135 of the architectural package prepared by FIELDWORK.

The basement storage areas are easily accessible for residents via the lift or stairs.

The common property areas include the residential and vehicle entrances; associated services, including the residential lobbies, circulation areas, stair and lift facilities; basement and car parking area. These area are practical for future occupants and are able to be appropriately managed in the future through the Owners Corporation.

The proposal complies with these requirements, enabling appropriate access to building services for required maintenance works.

The mail room is located in the Ballarat Street ground floor lobby area, for easy access by residents and Australia Post.
- Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision Guidelines**
- Before deciding on an application, the responsible authority must consider the design response.

<table>
<thead>
<tr>
<th>Decision Guidelines</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before deciding on an application, the responsible authority must consider the design response.</td>
<td>The bin storage area is appropriate for the residential and commercial use as detailed in the ‘Waste Management Plan’ prepared by Leigh Design Pty Ltd.</td>
</tr>
</tbody>
</table>

**Clause 58.06-3 – Waste and Recycling Objective**
- To ensure dwellings are designed to encourage waste recycling.
- To ensure that waste and recycling facilities are accessible, adequate and attractive.
- To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23 (Can be varied)**
Developments should include dedicated areas for:
- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:
- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision Guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

<table>
<thead>
<tr>
<th>Clause 58.07-1: Functional Layout Objective</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure dwellings provide functional areas that meet the needs of residents.</td>
<td>As detailed in Drawing No TP6.101 – TP6.135 all of the bedrooms for each respective apartment and all of the living areas, excluding a few studio apartments, have been designed to meet the</td>
</tr>
</tbody>
</table>
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

### Table D7 Bedroom Dimension

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Minimum Width</th>
<th>Minimum Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

### Table D8 Living Area Dimension

<table>
<thead>
<tr>
<th>Bedroom Type</th>
<th>Minimum Width</th>
<th>Minimum Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>dwelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 or more bedroom</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
<tr>
<td>dwelling</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Decision Guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

**Clause 58.07-2 – Room Depth Objectives**

* To allow adequate daylight into single aspect habitable rooms.

**Standard D25 (Can be varied)**

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level.
- This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision Guideline**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

For the studio apartments, these comply with the living area requirements however their bedroom are slightly less than Table D7 requirements. The combination of living rooms / bedrooms is a feature of studio apartments and which Clause 58 requirements fail to recognise. The studios have been provided in the design response following market research and feedback received by Assemble in relation their pilot project at 383-399 Macaulay Road, Kensington.

Further, the studios are designed with no reliance on ‘borrowed light’ as they are designed in an open living arrangement for a particular market.

Accordingly, when considering the diversity of apartments and variety of layouts and general compliance across the development with Clause 58.07-1 requirements, the minor variation to these studio apartments is acceptable.

**Complies**

All habitable rooms, including the open plan layout of living areas, comply with the standard when measuring the depth from the glazing line of the habitable room windows.
### Clause 58.07-3 – Windows Objectives

- To allow adequate daylight into new habitable room windows

**Standard D26 (Can be varied)**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision Guideline**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

**Complies**

All habitable rooms have a window with an external wall of the building clear to the sky, including those located adjacent to the central north-south external corridor.

These secondary windows enable an adequate daylight response to these secondary bedrooms while otherwise apartments are designed to face either of the Site’s street frontages or central communal open space area.

Accordingly, both the Standard and Objective of Clause 58.07-3 are satisfied in this innovative design response.

### Clause 58.07-4 – Natural Ventilation Objectives

- To encourage natural ventilation of dwellings.
- To allow occupants to effectively manage natural ventilation of dwellings.

**Standard D27 (Can be varied)**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision Guideline**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

**Complies**

All of the habitable rooms are fitted with openable windows, and opportunities for cross-ventilation have been maximised with the provisions of the external corridor which enables all of the dwellings to be cross-ventilated, greatly exceeding the requirements of the Standard.